

PROB 12B
(7/93)

United States District Court
for
District of New Jersey
Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Erving, Roxane

Cr.: 02-499-01

Name of Sentencing Judicial Officer: Katherine S. Hayden

Date of Original Sentence: 12/1/05

Original Offense: Conspiracy to distribute and possess cocaine

Original Sentence: 2 years probation, financial disclosure, DNA testing and 30 days home confinement, \$100.00 special assessment

Type of Supervision: Probation

Date Supervision Commenced: 12/1/05

PETITIONING THE COURT

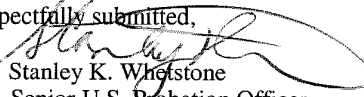
- ☐ To extend the term of supervision for _____ Years, for a total term of _____ Years.
☒ To modify the conditions of supervision as follows. The addition of the following special condition(s):

The defendant is to be confined to her residence for a period of 30 days months commencing at the direction of the U.S. Probation Office. The defendant shall be required to be at this residence at all times except for approved absences for gainful employment, community service, religious services, medical care, educational or training programs and at other such times as may be specifically authorized by the U.S. Probation Office. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures. The defendant shall permit the probation officer access to the residence at all times and maintain a telephone at the residence without any custom services or portable, cordless equipment. The defendant shall comply with any other specific conditions of home confinement as the probation officer requires. The defendant shall pay the costs of electronic monitoring, specifically \$3.26 per day.

CAUSE

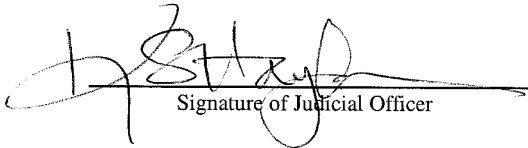
We recommend that Ms. Erving's term of home confinement be amended to include electronic monitoring, based on a review of her finances and the probationer not being unable to afford phone service. It is important to note the probation office cannot satisfy this special condition by any other means. The above-mentioned fee will also be waived for this same reason.

Respectfully submitted,


By: Stanley K. Whetstone
Senior U.S. Probation Officer
Date: 2/2/06

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ The Extension of Supervision as Noted Above
☐ No Action
☐ Other


Signature of Judicial Officer
2/10/06
Date

PROB 49
(3/89)

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW JERSEY**

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel,' I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.


I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows. The addition of the following special condition(s):

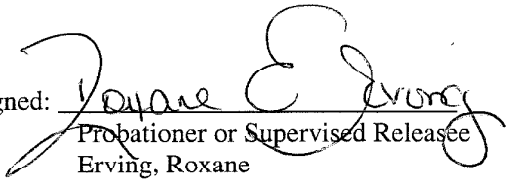
The defendant is to be confined to her residence for a period of 30 days months commencing at the direction of the U.S. Probation Office. The defendant shall be required to be at this residence at all times except for approved absences for gainful employment, community service, religious services, medical care, educational or training programs and at other such times as may be specifically authorized by the U.S. Probation Office. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures. The defendant shall permit the probation officer access to the residence at all times and maintain a telephone at the residence without any custom services or portable, cordless equipment. The defendant shall comply with any other specific conditions of home confinement as the probation officer requires. The defendant shall pay the costs of electronic monitoring, specifically \$3.26 per day.

We recommend that Ms. Erving's term of home confinement be amended to include electronic monitoring, based on a review of her finances and the probationer not being able to afford phone service. It is important to note the probation office cannot satisfy this special condition by any other means. The above-mentioned fee will be waived for the same reason.

Witness:


Senior U.S. Probation Officer
Stanley K. Whetstone

Signed:


Probationer or Supervised Releasee
Erving, Roxane

2-02-06
DATE